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1980

c 414 Public Libraries Act

Ontario

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CHAPTER 414

Public Libraries Act

1. In this Act,

Interpre-
tation

- (a) "board" in Part I means a public library board, in Part II means any board established under this Act or a predecessor of this Act, in Part III means a regional library system board and in Part IV means a county library board;
- (b) "Minister" means the Minister of Culture and Recreation;
- (c) "Ministry" means the Ministry of Culture and Recreation;
- (d) "municipality" means a city, town, village, township or improvement district;
- (e) "regulations" means the regulations made under this Act. R.S.O. 1970, c. 381, s. 1; 1972, c. 1, s. 17 (1); 1973, c. 141, s. 1; O. Reg. 53/76.

PART I

PUBLIC LIBRARY SERVICE

2.—(1) Subject to subsections (2) and (3), every public library established under a predecessor of this Part that was being operated immediately before the 1st day of January, 1981 is continued subject to this Part.

Public
libraries
continued

(2) Where a public library established before the 1st day of January, 1967 for a school section was being operated immediately before such date, the council of the municipality in which the public library of the school section is situate shall establish a public library, and, on the day the board for such public library is organized, the public library board of the school section is dissolved and its assets and liabilities become assets and liabilities of the public library board of the municipality.

Public
libraries
established
for school
sections

(3) Where a public library established before the 1st day of January, 1967 for a police village was being operated immediately before such date, the council of the municipality in

Public
libraries
established
for police
villages

which the public library of the police village is situate shall establish a public library, and, on the day the board for such public library is organized, the public library board of the police village is dissolved and its assets and liabilities become assets and liabilities of the public library board of the municipality, and, if the police village is situate in two or more municipalities, the public library established for the municipality shall be open to all persons who reside in the police village as if they resided in the municipality.

Public
libraries
in school
sections in
unorganized
territory
continued

(4) Every public library established before the 1st day of January, 1967 for a school section in territory without municipal organization that was being operated immediately before such date is continued until it is disestablished upon a petition signed by a majority of the public and separate school supporters in the school section filed with the secretary of the public school board of the school section, and, when so disestablished, the assets of the public library board shall be distributed as the Minister may direct. R.S.O. 1970, c. 381, s. 2.

Public
libraries,
establish-
ment

3.—(1) The council of a municipality and the trustees of an improvement district may by by-law establish a public library.

Effective
date

(2) A by-law passed in any year for the establishment of a public library becomes effective on the 1st day of January of the following year.

Board

(3) Every public library shall be under the management, regulation and control of a board, which is a corporation under the name of "The (*insert name of municipality*) Public Library Board". R.S.O. 1970, c. 381, s. 3.

Quali-
fications of
members of
board

4. A person is qualified to be appointed as a member of a board who,

- (a) is a Canadian citizen;
- (b) is of the full age of eighteen years;
- (c) is resident in a municipality for which the board is established; and
- (d) is not a member of any one of the bodies entitled to make an appointment to the board. R.S.O. 1970, c. 381, s. 4; 1971, c. 98, s. 4, Sched., par. 26.

Composition
of board, in
city, town
or village
of 10,000
or more
population

5.—(1) The board of an urban municipality having a population of 10,000 or more shall be composed of the mayor or

reeve and three members appointed by the council, three members appointed by the public school board or board of education having jurisdiction in the municipality, and two members appointed by the separate school board, if any, for the municipality.

(2) The board of a township having a population of 10,000 or more shall be composed of the reeve of the township and three members appointed by the council, three members appointed by the public school board or board of education having jurisdiction in the township, and two members appointed by the separate school board, if any, having jurisdiction in the township. in township of 10,000 or more population

(3) Where there is more than one board qualified to deal with public school affairs in a township or more than one separate school board having jurisdiction in a township, in each case, the board that is supported by the greatest amount of assessment in the township shall appoint the members to be appointed by the public school board, board of education or separate school board, as the case may be, under subsection (2). Appointment where more than one board

(4) Each member appointed by a council, public school board or board of education shall hold office for three years and each member appointed by a separate school board shall hold office for two years, provided that of the members first appointed by a council, public school board or board of education one member shall be appointed for one year, one member for two years and one member for three years, and of the members first appointed by a separate school board one member shall be appointed for one year and one member for two years, and every member shall continue to hold office until his successor is appointed. Term of office

(5) The first appointments of members of a new board shall be made at the last regular meeting of the appointing body in the year before the board is to be organized and the members shall take office on the 1st day of January in the following year, and thereafter appointments shall be made at the first meeting of the appointment body in each year, but if an appointing body fails to appoint a member at its first meeting, it shall make the appointment at its next regular meeting. R.S.O. 1970, c. 381, s. 5. Time for making appointments

6. The board of a municipality having a population of less than 10,000 shall be composed of the mayor or reeve and four members appointed annually by the council, and every member shall continue to hold office until his successor is appointed. R.S.O. 1970, c. 381, s. 6. Composition of board in municipalities under 10,000 population

Union
public
library

7.—(1) The councils of two or more municipalities may enter into agreement for the establishment of a union public library.

Agreement

(2) Any agreement under subsection (1) shall provide for the proportion of the cost of the establishment, operation and maintenance of the union public library, including the cost of existing libraries, that shall be borne by each municipality.

Union
board

(3) Every union public library shall be under the management, regulation and control of a board, which is a corporation under the name of "The (*insert names of municipalities concerned*) Union Public Library Board".

Composition
of board

(4) A union public library board shall be composed of such number of members appointed by the council of each municipality concerned for such term of office and in such manner as the agreement may provide. R.S.O. 1970, c. 381, s. 7 (1-4).

Qualifica-
tions of
members

(5) All members of a union public library board who are not members of a municipal council shall be Canadian citizens, over eighteen years of age and residents of a municipality for which the union public library is established. R.S.O. 1970, c. 381, s. 7 (5); 1971, c. 98, s. 4, Sched., par. 26.

Dissolution
of boards
included
in union

(6) When a union public library is established, the boards formerly established in the municipalities for which the union public library board is established are thereby dissolved, and the assets and liabilities of such boards are vested in and assumed by the union public library board. R.S.O. 1970, c. 381, s. 7 (6).

Vacancies,
how filled

8. Vacancies in a board arising from death, resignation or otherwise shall be filled forthwith by the appointing body, and the person appointed to fill a vacancy shall hold office for the unexpired term of the person whose place has become vacant. R.S.O. 1970, c. 381, s. 8.

Vacancies
by disquali-
fication

9.—(1) If a member of a board is convicted of an indictable offence, or becomes mentally ill, or absents himself from the meetings of the board for three consecutive months without being authorized by resolution entered upon its minutes, or ceases to be a resident within a municipality for which the board was established, he thereby vacates his seat, and the remaining members shall forthwith declare his seat vacant and notify the appointing body accordingly.

(2) Notwithstanding subsection (1), where a member of a ^{Proviso} board is convicted of an indictable offence, the vacancy shall not be filled until the time for taking any appeal that may be taken from the conviction has elapsed or until the final determination of any appeal so taken, and, in the event of the quashing of the conviction, the seat shall be deemed not to have been vacated. R.S.O. 1970, c. 381, s. 9.

10.—(1) Every board at its first meeting in each year ^{Chairman} shall elect one of its members as chairman.

(2) In the absence of the chairman from any meeting, the ^{Acting} board may appoint one of its members as acting chairman ^{chairman} for the meeting. R.S.O. 1970, c. 381, s. 11.

11.—(1) A board may appoint and remove such officers ^{Staff} and servants as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties.

(2) Every board shall appoint a secretary, who may also be ^{Secretary} the librarian and who shall,

(a) conduct the official correspondence for the board;
and

(b) keep a full and correct record of the proceedings of every meeting of the board in a minute book provided for that purpose by the board, and ensure that the minutes when confirmed are signed by the presiding officer.

(3) Every board shall appoint a treasurer, who may also ^{Treasurer} be the secretary or assistant secretary and who shall,

(a) receive and account for all moneys of the board;

(b) open an account in the name of the board in a chartered bank approved by the board;

(c) deposit all moneys received by him on account of the board, and no other moneys, to the credit of such account or accounts; and

(d) disburse all moneys as directed by the board. R.S.O. 1970, c. 381, s. 12.

Regular meetings

12.—(1) Every board shall hold regular meetings at least once every month from February to June inclusive and from September to January inclusive and at such other times as it considers necessary.

Special meetings

(2) The chairman or any two members of a board may summon a special meeting of the board by giving at least two days notice in writing to each member, specifying the purpose for which the meeting is called.

Quorum

(3) The presence of a majority of all the members constituting a board is necessary for the transaction of business at any general or special meeting.

Voting

(4) The chairman or acting chairman of a board may vote with the other members of the board upon all questions, and any question on which there is an equality of votes shall be deemed to be negative. R.S.O. 1970, c. 381, s. 13.

Expenses

13. The members of a board shall serve without remuneration, but they shall be reimbursed by the board for proper travelling and other expenses incurred in carrying out their duties as members of the board. R.S.O. 1970, c. 381, s. 14.

Agreements for library service

14. Any public library board or regional or county library board may enter into agreements with any other such board or with a municipal council, school board, council of an Indian band or any person for providing any library service on such terms and conditions as may be agreed upon. R.S.O. 1970, c. 381, s. 15.

Real property

15.—(1) A board may acquire by purchase, lease or otherwise and may expropriate any land required for its purposes and may erect buildings thereon and make additions to or alterations of such buildings, and, with the consent of the council of the municipality or of a majority of the councils of the municipalities, where there are more than one, for which it was established, may sell, lease or otherwise dispose of any land or building when no longer required for such purposes.

Acquisition or erection of building larger than required

(2) A board, with the consent of the council or councils of the municipality or municipalities for which it was established, may acquire, or may erect on any land held by it, buildings larger than are required for library or branch library purposes, and may lease any parts of the buildings not so required.

Application of R.S.O. 1980, c. 148

(3) The *Expropriations Act* applies to the expropriation of land under subsection (1). R.S.O. 1970, c. 381, s. 16.

16. Every board,Powers and
duties of
board

- (a) shall endeavour to provide in co-operation with other boards a comprehensive and efficient library service;
- (b) shall ensure that every library under its charge is conducted in accordance with this Act and the regulations;
- (c) shall fix the times and places for the meetings of the board and the mode of calling and conducting them, and ensure that a full and correct account of the proceedings thereat is kept;
- (d) shall transmit to the Minister all reports required by this Act and the regulations or requested by him;
- (e) shall make provision for insuring the buildings and equipment owned by the board;
- (f) shall operate a main library;
- (g) shall take proper security for the treasurer or secretary-treasurer;
- (h) may operate any number of branch libraries, reading rooms, mobile units, deposit stations, art galleries, museums, and film and other special services in connection with a library that it considers necessary; and
- (i) may appoint such committees as it considers expedient. R.S.O. 1970, c. 381, s. 17.

17.—(1) Every board shall appoint one or more librarians Librarians,
who, appointment

- (a) in the case of a board in a municipality having a population of 10,000 or more, or in municipalities having a combined population of 10,000 or more, shall hold a certificate of librarianship issued by the Minister; and
- (b) in the case of a board in a municipality having a population of less than 10,000, or in municipalities having a combined population of less than 10,000, shall hold a certificate of librarianship, or a certificate of library service, issued by the Minister.

Idem (2) Where a board after reasonable effort is unable to employ a librarian under subsection (1), the board shall apply to the Minister for permission to employ an uncertificated person as a librarian.

Chief executive officer (3) The chief librarian shall be the chief executive officer of the board. R.S.O. 1970, c. 381, s. 18.

Retirement allowances **18.** A board may, with the approval of the council or councils of the municipality or municipalities for which it is established, grant an annual retirement allowance to an employee in accordance with section 100 of the *Municipal Act*, which section applies with necessary modifications. R.S.O. 1970, c. 381, s. 19.

R.S.O. 1980,
c. 302

Pensions **19.** A board, by resolution, may provide pensions for employees or any class thereof in the manner and subject to the conditions set out in paragraph 46 of section 208 of the *Municipal Act*, which paragraph applies with necessary modifications. R.S.O. 1970, c. 381, s. 20.

Sick leave credits **20.** A board, by resolution, may establish a system of sick leave credit gratuities for employees or any class thereof in the manner and subject to the conditions set out in paragraph 47 of section 208 of the *Municipal Act*, which paragraph applies with necessary modifications. R.S.O. 1970, c. 381, s. 21.

Rules **21.**—(1) Subject to the regulations, a board may make rules for the use of the library, reading rooms and museums and for the admission of the public thereto, and for regulating all other matters and things connected with the management of the library, reading rooms and of all property under its control, and may impose fines for breaches of the rules, not exceeding \$25 for any offence.

Right to damages (2) Nothing herein precludes the recovery of the value of articles or things damaged or the amount of damage sustained from persons liable for such articles or things.

Closing library for limited period (3) Subject to the regulations, a board may close the library for a limited number of days when, in the opinion of the board, such closing is necessary or expedient, and the board may close the library for a period not exceeding three successive weeks at any time during the period between the 1st day of June and the 31st day of August in any year.

Permitting use of building (4) A board may permit any part of its library buildings to be used for any educational or other lawful purposes that it considers proper. R.S.O. 1970, c. 381, s. 22.

22.—(1) Every board in each year shall prepare and adopt ^{Estimates} and submit to the council of the municipality, or to each of the councils of the municipalities, for which the board was established, on or before such time as the council may prescribe, estimates of all sums required during the year for the purposes of the board, and such estimates,

- (a) shall set forth the estimated revenues and expenditures of the board;
- (b) shall make due allowance for a surplus of the previous year that will be available during the current year;
- (c) shall provide for any deficit of any previous year; and
- (d) may provide for capital expenditures to be made out of current funds.

(2) The amount of the estimates of the board that is ^{Approval of estimates} approved by the council shall be paid to the board out of the moneys appropriated for the board in such amounts as may be requisitioned from time to time.

(3) Where a board is established for two or more municipalities, the board shall submit with its estimates a statement as to the proportion thereof to be chargeable to each of the municipalities, and, if the estimates of the board are approved, or are amended and approved, by the councils of the municipalities representing more than one-half of the population of the area for which the board was established, the estimates as so approved are binding on all the municipalities in the area. R.S.O. 1970, c. 381, s. 23. ^{Where two or more municipalities concerned}

23.—(1) Subject to the approval of the Ontario Municipal Board, the sums required by a board for the purposes of ^{Debentures for library purposes} acquiring a site or building or erecting or altering a building or, in the first instance, for acquiring books and other things required for a library, on the application of the board, may be raised by the issue of municipal debentures.

(2) The application shall be made to the council or councils ^{Application to council} of the municipality or municipalities for which the board was established.

(3) The council or, if more than one, each of the councils ^{Council to deal with application} applied to, at its first meeting after receiving the application or as soon thereafter as possible, shall consider and approve or disapprove the application, and, if a vote in any council results in a tie, the application shall be deemed to be disapproved by the council.

**Issue of
debentures**

(4) If the council, or a majority of the councils where there are more than one, approves the application, the council of the municipality or, where more than one, the council of the municipality having the greatest assessment shall raise the sum required by the issue of debentures in the manner provided by the *Municipal Act*, or, if it so desires, the council of any municipality may raise its proportion of the sum required by the issue of its own debentures.

R.S.O. 1980,
c. 302

**Submission
of applica-
tion to
ratepayers**

(5) If the council, or half or a majority of the councils where there are more than one, disapproves the application, the council or each of the councils on the request of the board shall submit the application to a vote of the electors of its municipality who are qualified under the *Municipal Act* to vote on money by-laws, in the manner provided in the *Municipal Act* in the case of a money by-law.

**When vote
to be held**

(6) Unless the board otherwise agrees, such vote shall be held within ninety days of the receipt of the request therefor from the board.

**When vote
favourable**

(7) If a majority of the votes cast throughout the area for which the board was established is in favour of the application, the council of the municipality in which the public library is or is to be situated shall raise the required sum by the issue of debentures in the manner provided in the *Municipal Act*. R.S.O. 1970, c. 381, s. 24.

**Grants from
municipal
councils**

24. The council of any municipality or county may make grants in money or lands or buildings to a board. R.S.O. 1970, c. 381, s. 25.

**Inspection
of records**

25. Any person, at all reasonable times, may inspect any records, books, accounts and documents in the possession or under the control of the secretary of a board. R.S.O. 1970, c. 381, s. 26.

**Libraries
to be open
to public**

26. All public libraries operated by a board shall be open to the public free of charge, provided that the board may impose such fees as it considers proper for the use of any library service by any person who is not resident in the area in which the board has jurisdiction. R.S.O. 1970, c. 381, s. 27.

**Free use
of library
services**

27. Every board shall permit the public to have free use of the circulating and reference books and such other services of the library as it considers practicable, but the board may charge fees for such other services as it considers necessary. R.S.O. 1970, c. 381, s. 28.

28. Where the council of an Indian band establishes a public library, such library, if approved by the Minister, shall be deemed to be a public library established under this Part for the purposes of legislative grants. R.S.O. 1970, c. 381, s. 29. ^{Library of Indian band}

PART II

PROVINCIAL LIBRARY SERVICE

29. The Lieutenant Governor in Council may make regula- ^{Regulations}
tions,

- (a) providing for the apportionment and distribution of all moneys appropriated by the Legislature for library purposes;
- (b) prescribing the conditions governing the payments of grants to boards;
- (c) respecting the establishment, organization, management, accommodations and rules of public libraries;
- (d) respecting the establishment, organization, management and courses of instruction of library schools, examinations of students, and providing for the issuance of certificates to students successful at library schools;
- (e) governing the qualifications of librarians and assistants and library clerks in public libraries;
- (f) governing the conduct of examinations and practical tests, and the determination of the results thereof;
- (g) governing the granting of temporary, interim, special permanent and renewed certificates of qualification to librarians and assistants;
- (h) prescribing the courses and examinations for the academic and professional training of librarians and assistants;
- (i) providing for the suspension and cancellation of certificates of qualification granted by the Ministry;
- (j) governing the management and organization of library institutes. R.S.O. 1970, c. 381, s. 30; 1972, c. 1, s. 1.

Withholding
grant on
default of
board

30. Where a board in any year fails to comply with this Act or the regulations, the Minister may withhold the whole or any part of the legislative grant payable to the board for that year. R.S.O. 1970, c. 381, s. 31.

Director of
Provincial
Library
Service

31. The Lieutenant Governor in Council may appoint an officer, to be known as the Director of Provincial Library Service, who shall, under the direction of the Minister, supervise the operation of this Act and promote and encourage the extension of library service throughout Ontario. R.S.O. 1970, c. 381, s. 32.

Ontario
Provincial
Library
Council

32.—(1) There shall be a council, to be known as the Ontario Provincial Library Council, herein called the Council, composed of,

(a) nine members appointed by the Minister; and

(b) one member appointed by the board of each regional library system.

Term of
office

(2) Of the members first appointed by the Minister, three members shall be appointed to hold office for two years and three members for four years, and thereafter members shall be appointed to hold office for six years.

Idem

(3) The members appointed by the boards of regional library systems shall hold office for one year. R.S.O. 1970, c. 381, s. 33.

Officers

33.—(1) The Council shall elect a chairman and a vice-chairman from among its members and may appoint such officers and servants, except a secretary, as it considers necessary.

Secretary

(2) The Director of Provincial Library Service shall be the secretary of the Council, but shall not vote on the matters of the Council.

Executive
Committee

(3) The officers elected or appointed under this section and the secretary constitute the Executive Committee of the Council.

Committees

(4) The Council may appoint such other committees as it considers necessary. R.S.O. 1970, c. 381, s. 34.

Duties

34. The Council shall make recommendations to the Minister with respect to the development and co-ordination of library service in Ontario. R.S.O. 1970, c. 381, s. 35.

35.—(1) The Council shall meet at least three times in ^{Meetings} each year at such times and places as the Executive Committee shall determine.

(2) The members of the Council shall be reimbursed by the ^{Expenses of} Council for proper travelling and other expenses incurred in ^{members} carrying out their duties as members of the Council. R.S.O. 1970, c. 381, s. 36.

PART III

REGIONAL LIBRARY SERVICE

36. The Minister, upon receipt of a request from five or ^{Regional} more public library boards, of which at least one has jurisdiction in a municipality having a population of 15,000 or more, ^{library} to establish a regional library system to assist libraries within ^{system,} the region, may establish a regional library system and determine the boundaries of the region. R.S.O. 1970, c. 381, s. 37. ^{establishment}

37. The region for which a regional library system may be ^{Region} established shall have a population of at least 100,000 and shall include at least two territorial districts or counties, and the Minister may alter the boundaries of a region. R.S.O. 1970, c. 381, s. 38.

38. Each regional library co-operative established under a ^{Regional} predecessor of this Act that was in existence immediately ^{library co-} before the 1st day of January, 1967, shall be deemed to be a ^{operatives} regional library system for the region in which it then had ^{deemed} jurisdiction as it may be altered by the Minister. R.S.O. ^{regional} 1970, c. 381, s. 39. ^{library} ^{systems}

39.—(1) Every regional library system shall be under the ^{Board,} management, regulation and control of a board, which is a ^{corporate} corporation under the name of "The Board of the *(insert name* ^{name} *selected by the board and approved by the Minister)* Regional Library System".

(2) Every board shall be composed of, ^{Composition} ^{of board}

- (a) one member appointed by the public library board in each municipality having a population of 15,000 or more in the region;
- (b) one member appointed by each county library board having jurisdiction in the region;
- (c) if the number of members appointed under clauses (a) and (b) is less than nine, such number of members appointed by the Minister to the extent that the

number of members on the board will not exceed nine; and

- (d) if the number of members appointed under clauses (a), (b) and (c) is less than nine, a number of members, not to exceed the number of members appointed under clause (a), elected by the other public library boards having jurisdiction in the region to the extent that the number of members on the board will not exceed nine.

Term of office

(3) A member of a board shall hold office until the 31st day of December of the year for which he is elected or appointed, except that the first members of a board shall hold office during the year in which the board is established and until the 31st day of December of the following year, but every member shall continue to hold office until his successor is elected or appointed.

Vacancies

(4) A board may appoint a person to fill a vacancy created by any means in the membership of the board, and the person so appointed shall hold office for the remainder of the term of his predecessor.

Maximum term

(5) A member who is appointed or elected to a board after the 1st day of January, 1967 shall not hold office for more than five consecutive years. R.S.O. 1970, c. 381, s. 40.

Director to arrange elections, etc.

40. The Director of Provincial Library Service shall arrange for elections and appointments to each board and shall call the first meeting of each board. R.S.O. 1970, c. 381, s. 41.

Duties of board

41. Every board shall endeavour to improve the standards of library service by providing a plan for co-ordinating and developing library service within the region, and shall submit each year a summary of such plan to the Ontario Provincial Library Council. R.S.O. 1970, c. 381, s. 42.

Power to raise sums for sites, etc.

42.—(1) One or more municipal councils within the region in which a board has jurisdiction may, at the request of the board and subject to the approval of the Ontario Municipal Board, raise the sums required by the board for the purpose of acquiring sites or purchasing, erecting or altering buildings.

Power to levy for library purposes

(2) A council of a municipality in which a board has jurisdiction may, at the request of the board, levy on the rateable property within the municipality a rate sufficient to provide a sum for library service in accordance with the terms of an agreement between the board and the council. R.S.O. 1970, c. 381, s. 43.

43. A board may,**Powers of
board**

- (a) establish, separately or within one or more of the public libraries established in the region in which the board has jurisdiction, a collection of reference books and other items as the basis of a reference service for the region;
- (b) promote inter-library loan of books and other means of furthering the efficiency and co-ordination of library service;
- (c) establish a central service, and determine services that may be provided by one or more public library boards for other public library boards in the region, for,
 - (i) selecting, ordering, cataloguing, processing, circulating, storing and disposing of books, films and other materials,
 - (ii) providing an advisory service for the purpose of improving public library standards,
 - (iii) providing programs of an educational nature for adults,
 - (iv) providing programs of an educational nature for librarians and library assistants, and
 - (v) providing other similar services;
- (d) charge fees for supplying any library service, and determine the unit cost of supplying each service;
- (e) with the approval of the Minister, undertake responsibilities for providing inter-library loan of books and other services throughout Ontario; and
- (f) appoint a regional director of library services, who,
 - (i) shall hold a Class A, B or C certificate of librarianship,
 - (ii) may be an employee of a public library board having jurisdiction in the region if that board agrees to the appointment, and
 - (iii) shall not be an employee of any other public library board. R.S.O. 1970, c. 381, s. 44.

Application
of general
provisions

44. Sections 8 to 11, 13 to 15, 17 to 21 and 24 to 27 apply with necessary modifications to every board of a regional library system. R.S.O. 1970, c. 381, s. 45.

PART IV

COUNTY LIBRARY SERVICE

County
library
establish-
ment

45.—(1) Where at least 75 per cent of the municipalities forming part of a county for municipal purposes request the county to establish a county library, the council of the county may by by-law establish a county library for all such municipalities.

Idem

(2) Where at least half of the municipalities forming part of a county for municipal purposes and having a combined population of at least 25,000 request the county to establish a county library, the council of the county may by by-law establish a county library for all the municipalities that so request.

Request
for estab-
lishment

(3) No request of a local municipality for the establishment of a county library shall be acted on unless the request is authorized by a favourable vote of a majority of the members of the council of the local municipality.

Approval of
Minister

(4) A by-law passed by the council of a county under this section is not effective until approved by the Minister and, when so approved, is effective on the 1st day of January of the year following unless otherwise provided in the by-law.

Dissolution
of public
library
boards, etc.

(5) When a county library is established, every public library board and county library co-operative established for a municipality or any part thereof that is included in the area for which the county library is established is thereby dissolved, and the assets and liabilities of such boards are thereby vested in and assumed by the county library board unless otherwise provided in the by-law establishing the county library. R.S.O. 1970, c. 381, s. 46.

County
library
board

46.—(1) Every county library shall be under the management, regulation and control of a board, which is a corporation under the name of "The (*insert name of county*) County Library Board". R.S.O. 1970, c. 381, s. 47 (1).

Composition
of board

(2) A county library board shall be composed of the warden of the county and six members appointed by the county council, three of whom shall be members of the county council who represent a local municipality in the area for which the county library was established and three of whom shall be

persons resident in a municipality in which the board has jurisdiction who are eighteen years of age and Canadian citizens and who are not members of the council. R.S.O. 1970, c. 381, s. 47(2); 1971, c. 98, s. 4, Sched., par. 26.

(3) The members of the board who are not members of the county council shall hold office for three years, except that, when appointments are made to a newly-established board, one member shall be appointed for one year, one member for two years and one member for three years. Term of office of members other than councillors

(4) The council of the county shall make such appointments at the first meeting of council in each year. Appointments

(5) Each member shall hold office until his successor is appointed. Term of office

(6) The first meeting of a newly-established board shall be called by the clerk of the county forthwith after the members of the board have been appointed. R.S.O. 1970, c. 381, s. 47 (3-6). First meeting

47. Sections 8 to 21 and 24 to 27 apply with necessary modifications to every county library board. R.S.O. 1970, c. 381, s. 48. Application of general provisions

48. Every county library board shall operate and maintain a library as a branch in each local municipality that operated a public library prior to the date upon which that municipality became part of the county library system. R.S.O. 1970, c. 381, s. 49. Branch libraries

49. Every board shall appoint a librarian who shall, Librarian

(a) hold a Class A, B or C certificate of librarianship issued by the Minister;

(b) be the chief executive officer of the board; and

(c) attend the meetings of the board or designate a person to represent him. R.S.O. 1970, c. 381, s. 50.

50.—(1) The council of a county in which a county library has been established may by by-law provide for the levying of a rate, upon the equalized assessment of the municipalities that form part of the county for municipal purposes and that are in the area in which the county library board has jurisdiction, sufficient to meet the amount estimated by the board to meet its operating costs, as approved by the council, and such rate shall form part of the county rates for such municipalities. County library rate

Accommodation may be provided by local municipality

(2) Where such rate in any year is not sufficient for the purpose of providing accommodation for branch libraries, the council of one or more municipalities may, at the request of the board, rent accommodation to the board and may, subject to the approval of the Ontario Municipal Board, issue municipal debentures for the cost of constructing buildings for the purposes of the board, but the ownership thereof shall remain with the municipal corporation. R.S.O. 1970, c. 381, s. 51.

County library co-operatives continued

51.—(1) Every county library co-operative board established under a predecessor of this Act that was in existence immediately before the 1st day of January, 1967 is, subject to subsection (2), continued with the same powers and duties.

When dissolved

(2) Where a county library co-operative has jurisdiction in an area for which a county library is established, the county library co-operative is dissolved, and its assets and liabilities become assets and liabilities of the county library board.

Composition of board

(3) The board of a county library co-operative shall be composed of the warden of the county and six members appointed annually by the county council, three of whom shall be members of the county council. R.S.O. 1970, c. 381, s. 52.